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EXAMINER

NELSON JR, MILTON

ART UNIT

PAPER NUMBER

3636

DATE MAILED: 05/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Interview Summary

Application No.

09/963,664

Applicant(s)

BOGISCH ET AL.

Examiner

Milton Nelson, Jr.

Art Unit

3636

All participants (applicant, applicant's representative, PTO personnel):

(1) Milton Nelson, Jr.

(3) _____

(2) Robert Grabarek

(4) _____

Date of Interview: 12 May 2003

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____

Claim(s) discussed: 1, 10 and 26.

Identification of prior art discussed: Saito et al (5102189).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

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Milton Nelson, Jr.
Primary Examiner

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Graberick proposed providing alternative changes to those agreed to in the 5/6/03 interview. Previously it was agreed that defining an open motor vehicle having the air outflow opening of the air-distributing device provided on an upper narrow side and a lateral outer narrow side of the backrest in order to reduce undesirable draughts, in combination with other previously set forth limitations would place the independent claims into allowable form. The new proposal eliminates the recitation of "an upper narrow side and a lateral outer narrow side". The new proposal defines the air-distributing device as a "windbreak device" with the air outflow openings on "at least one of an upper narrow side and a lateral outer narrow side" of the backrest. Mr. Grabarick was advised that this proposal would appear to overcome Saito et al as it relates to 35 USC 102(b), but that a rejection based on 35 USC 103 was possible.

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Interview Summary

Application No.

09/963,664

Applicant(s)

BOGISCH ET AL.

Examiner

Milton Nelson, Jr.

Art Unit

3636

All participants (applicant, applicant's representative, PTO personnel):

(1) Milton Nelson, Jr.

(3) _____

(2) Robert Grabarek (40625)

(4) _____

Date of Interview: 06 May 2003

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____

Claim(s) discussed: 1, 10 and 26

Identification of prior art discussed: Saito et al (5102189), Alkire et al (1439681), Lush (5626386)

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Grabarek proposed amending the independent claims to include recitation of the outflow openings of the air-distributing device being provided on an upper narrow side and a lateral outer narrow side of the backrest. This structure appears absent in Saito et al. This proposal overcomes the prior art of record. Proposals also provided for eliminating indefiniteness from the claims.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

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